



Atty. Dkt. No. 023533-0113

1632

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Lawrence E. CORNETT et al.

Title: RECOMBINANT BETA2-ADRENERGIC RECEPTOR DELIVERY AND USE  
IN TREATING AIRWAY AND VASCULAR DISEASES

Appl. No.: 09/783,580

Filing Date: 02/15/2001

Examiner: Scott David Priebe

Art Unit: 1632

**AMENDMENT TRANSMITTAL**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ [ X ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a  
previous assertion of Small Entity status.

☐ [ ] Assertion of Small Entity status is enclosed.

☒ [ X ] The fee required for additional claims is calculated below:

|  | Claims<br>As<br>Amended |   | Previously<br>Paid For |   | Extra<br>Claims<br>Present |   | Rate     |   | Additional<br>Claims Fee |
|--|-------------------------|---|------------------------|---|----------------------------|---|----------|---|--------------------------|
| Total Claims:  | 46                      | - | 49                     | = | 0                          | x | \$18.00  | = | \$0.00                   |
| Independent<br>Claims:                               | 6                       | - | 6                      | = | 0                          | x | \$86.00  | = | \$0.00                   |
| First presentation of any Multiple Dependent Claims: |                         |   |                        |   |                            | + | \$290.00 | = | \$0.00                   |
| CLAIMS FEE TOTAL                                     |                         |   |                        |   |                            |   |          |   | = \$0.00                 |

- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

|  |            |          |
|--|------------|----------|
| <input checked="" type="checkbox"/> Extension for response filed within the first month: | \$110.00   | \$110.00 |
| <input type="checkbox"/> Extension for response filed within the second month:           | \$420.00   | \$0.00   |
| <input type="checkbox"/> Extension for response filed within the third month:            | \$950.00   | \$0.00   |
| <input type="checkbox"/> Extension for response filed within the fourth month:           | \$1,480.00 | \$0.00   |
| <input type="checkbox"/> Extension for response filed within the fifth month:            | \$2,010.00 | \$0.00   |
| EXTENSION FEE TOTAL:   |            | \$110.00 |
| <input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):               | \$110.00   | \$0.00   |
| CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:  |            | \$110.00 |
| <input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):       |            | \$55.00  |
| TOTAL FEE:   |            | \$55.00  |

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$55.00. A duplicate copy of this transmittal is enclosed.
- ☒ A check in the amount of \$55.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date April 22, 2004

FOLEY & LARDNER LLP

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By Jayne A. Huleatt

Jayne A. Huleatt

Attorney for Applicant

Registration No. 34,485



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**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Mail Stop NON-FEE AMENDMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated December 22, 2003, concerning the above-referenced patent application. A request for a one-month extension of time with the requisite fee is attached and extends the date to respond to April 22, 2004, thus making this response timely.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 9 of this document.

Please amend the application as follows:

04/23/2004 CCHAU1 00000080 09783580

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